

REMARKS

In the parent patent application, the Examiner had rejected Claims 1,3, 5 to 10, 19 to 30, 43 and 44 as being obvious and unpatentable based upon the Nien et al. '184 patent in view of the Bellinger '562 patent under 35 U.S.C. § 103(a). Further, in the parent patent application, the Examiner had rejected Claims 11 to 18, and 31 to 42 as being obvious and unpatentable based upon the Nien et al. '184 patent in view of the Chang '889 patent under 35 U.S.C. § 103(a).

The Nien '184 patent discloses a decorative plate assembling structure for an upper beam of a blind device.

The Bellinger '562 patent discloses a curtain holder bracket for mounting on a window frame.

The Chang '889 patent discloses a rod rack supporting structure for holding one or more cylindrical curtain rods.

The Nien et al. '184 patent and the Bellinger '562 patent, even when combined, do not disclose or teach the following elements of Amended Independent Claim 1:

a) each of the upper and lower receiving channels of each of the blind bracket mounting devices being L-shaped for preventing each of the first and second holding wall members from falling out of the blind bracket mounting devices.

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The Nien and Bellinger patents do not teach that their respective holder brackets have upper and lower channels for preventing each of its holding wall members from falling out of the U-shaped conventional blind mounting device for holding one or more curtain rods.

Also, the Nien '184 patent is only designed to hold decorative plates 40 from its holding cover member 30 and not one or more curtain rods with curtains thereon. Nien's holder brackets as designed, see Figures 1 and 2, would not be capable of supporting multiple curtain rods and curtains on its holder brackets. The present invention was designed to hold multiple curtain rods having curtains, drapes, valances and/or shears thereon. Further, the Bellinger '562 patent does not show upper and lower channels, its holder brackets are directly attached to a window frame, and not to a conventional blind mounting device. Bellinger's rod holder 75 is different in structure as it has a pair of back side walls 45 and 46, the present invention does not have these side walls. Further, Bellinger's rod holder 75 is not L-shaped for preventing its rod holder from falling out of a conventional U-shaped blind bracket mounting device. The mounting brackets of the present invention serves as a dual function of (1) holding one or more curtain rods having curtains, drapes, valances and/or shears thereon and (2) a safety latch in order to prevent the blind from falling out of the conventional U-shaped blind bracket mounting device for holding one or more curtain rods.

The Nien et al. '184 patent and the Chang '889 patent, even when combined, do not disclose or teach the following elements of Amended Independent Claim 31:

a) each of the upper and lower receiving channels of each of the blind bracket mounting devices being L-shaped for preventing each of the first and second holding wall members from falling out of the blind bracket mounting devices.

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The Nien and Chang patents do not teach that their respective holder brackets have upper and lower channels that are L-shaped for preventing each of its holding wall members from falling out of the U-shaped conventional blind mounting device for holding one or more curtain rods. Also, the Nien '184 patent is only designed to hold decorative plates 40 from its holding cover member 30 and not one or more curtain rods with curtains thereon. Nien's holder brackets as designed, see Figures 1 and 2, would not be capable of supporting multiple curtain rods and curtains on its holder brackets. The present invention was designed to hold multiple curtain rods having curtains, drapes, valances and/or shears thereon. Further, the Chang '889 patent does not show upper and lower channels, its holder support brackets are directly attached to a window frame, and not to a conventional blind mounting device. Chang's rod holder 20 is different in structure as it has a support base member, the present invention does not have this support base member. Further, Chang's rod holder 20 is not L-shaped for preventing its rod holder from falling out of a conventional U-shaped blind bracket mounting device. The mounting brackets of the present invention serves as a dual function of (1) holding one or more curtain rods having

curtains, drapes, valences and/or shears thereon and (2) a safety latch in order to prevent the blind from falling out of the conventional U-shaped blind bracket mounting device for holding one or more curtain rods.

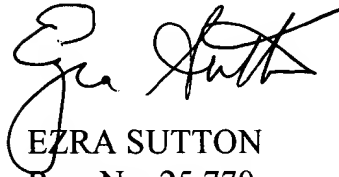
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In addition, with regard to the applicant's statement on the top of page 12 of the application regarding L-shapes or U-shapes being used, applicant wishes to clarify that the numbers 74 and 78 referred to are actually L-shaped channels, as shown in Figures 2 to 4 of the drawings. Therefore, it is not really a design choice as stated by the Examiner, since the L-shaped channel works to hold the weight of multiple curtain rods with curtains thereon and not fall out of a conventional blind mounting device.

Accordingly, even if the prior art references of Nien et al. and Bellinger were combined, they do not teach or disclose the claimed features of amended independent Claim 1 and the Claims which depend therefrom. Further, even if the prior art references of Nien et al. and Chang were combined, they do not teach or disclose the claimed features of amended independent Claim 31 and the Claims which depend therefrom.

Therefore, it is submitted that this Preliminary Amendment is being filed to place this application in better form for examination purposes, and to place Claims 1 to 20 and 31 to 43 in condition for allowance.

Respectfully submitted,

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By: Judith M. Traina

Date: May 23, 2003

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1(Twice Amended). Curtain mounting brackets for curtain rods for use with conventional blind bracket mounting devices of a blind assembly for attaching one or more curtain rods thereon in order to hold a curtain and/or valance thereto, comprising:

5 a) a first bracket housing including a first holding wall member having an upper channel, a lower channel, a first side perimeter edge and a second side perimeter edge;

b) said first holding wall member having mounted thereon a first curtain rod holding prong member and a second curtain rod holding prong member;

10 c) said upper channel for engaging and being joined to an upper receiving channel of the conventional blind bracket mounting device, and said lower channel for engaging and being joined to a lower receiving channel of the conventional blind bracket mounting device for preventing one end of the blind assembly from falling out of the blind bracket mounting device;

15 d) a second bracket housing including a second holding wall member having an upper channel, a lower channel, a third side perimeter edge and a fourth side perimeter edge;

e) said second holding wall member having mounted thereon a third curtain rod holding prong member and a fourth curtain rod holding prong member;

f) said upper channel for engaging and being joined to an upper receiving channel of the conventional blind bracket mounting device, and said lower channel for engaging and being joined to a lower receiving channel of the conventional blind bracket mounting device for preventing the other end of the blind assembly from falling out of the blind bracket mounting device; [and]

g) said curtain rod holding prong members are for receiving one or more curtain rods thereon[.] ; and

h) each of said upper and lower receiving channels of each of the blind bracket mounting devices being L-shaped for preventing each of said first and second holding wall members from falling out of the blind mounting devices.

31(Twice Amended). Curtain mounting brackets for curtain rods (for use with conventional blind bracket mounting devices of a blind assembly for attaching one or more cylindrical curtain rods thereon in order to hold a curtain and/or valance thereto) comprising:

a) a first bracket housing including a first holding wall member having an upper channel, and a lower channel;

b) said first holding wall member having a first holding arm member mounted thereon with a first set of one or more rod holding sections therein, said first set of one or more rod holding sections of said first holding arm member for holding in place one end of the cylindrical curtain rod;

c) said upper channel of said first holding wall member for engaging and being joined to an upper receiving channel of the conventional blind bracket mounting device, and said lower channel of said first holding wall member for engaging and being joined to a lower receiving channel of the conventional blind bracket mounting device for preventing one end of the blind assembly from falling out of the blind bracket mounting devices;

d) a second bracket housing including a second holding wall member having an upper channel, and a lower channel;

e) said second holding wall member having a second holding arm member mounted thereon with a second set of one or more rod holding sections therein, said second set of one or more rod holding sections of said second holding arm member for holding in place the other end of the cylindrical curtain rod;

f) said upper channel of said second holding wall member for engaging and being joined to an upper receiving channel of the conventional blind bracket mounting device, and said lower channel of said second holding wall member for engaging and being joined to a lower receiving channel of the conventional blind bracket mounting device for preventing the other end of the blind assembly from falling out of the blind bracket mounting device; [and]

g) said first and second holding arm members for holding in place the ends of one or more cylindrical curtain rods in a parallel relationship with each other; and [.]

h) each of said upper and lower receiving channels of each of the blind bracket mounting devices being L-shaped for preventing each of said first and second holding wall
5 members from falling out of the blind mounting devices.